

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission
RAIL SAFETY SECTION

COUNTY OF LASALLE, ILLINOIS)
DEPARTMENT OF HIGHWAYS)
and)
CITY OF STREATOR, ILLINOIS)
Petitioners)
vs.)
BURLINGTON NORTHERN AND SANTA FE)
RAILWAY COMPANY)
and)
STATE OF ILLINOIS)
DEPARTMENT OF TRANSPORTATION)
Respondents)

No. T04-0069

Petition for an Order of the Illinois Commerce Commission authorizing the replacement of the structure where E. Broadway Street goes over the tracks of the Burlington Northern Santa Fe Railway Company and the SB Warehousing, Inc. in Streator, LaSalle County, Illinois, apportioning costs thereof and directing an appropriate portion thereof to be borne by the Grade Crossing Protection Fund.

SUPPLEMENTAL PETITION

To the ILLINOIS COMMERCE COMMISSION:

DOCKETED

NOV - 9 2006

Now comes the Petitioners, the County of LaSalle and the City of Streator, Illinois by Troy D. Holland, LaSalle County Assistant State's Attorney, and respectfully petitions the Honorable Commission as follows:

1. The Illinois Commerce Commission has issued Order T04-0069 authorizing Grade Crossing Protection Fund (GCPF) assistance not to exceed \$4,411,852.00 for reconstruction of the grade separation;
2. The Order further states that GCPF assistance shall be limited to \$2,448,000.00 in state fiscal year 2006 (FY 06) and \$1,963,652.00 in FY 07;
3. The Order further states that \$2,448,000.00 in GCPF assistance has been authorized with the Order and that Petitioners shall be required to submit a Supplemental Petition requesting the remainder of the funds.
4. The attached Exhibit "A" lists current and anticipated expenditures to demonstrate the need for additional funding from the Commission.

WHEREFORE, Petitioner prays that the Honorable Commission grant this Supplemental Petition or, if necessary to set aforesaid matter for hearing with notice to the Parties hereto, to the extent and by the method as may be necessary and proper and amend Order T04-0069 to obligate the remainder of the funding to the Petitioner.

The Petitioner further specially requests that all necessary steps be taken by the Honorable Commission to expedite, accelerate and advance upon its docket for immediate consideration, the matter of this Supplemental Petition.

Respectfully submitted,

THE COUNTY OF LASALLE, ILLINOIS

AND

THE CITY OF STREATOR, ILLINOIS

A handwritten signature in black ink, appearing to read "T. D. Holland", is written over a horizontal line.

By: Troy D. Holland, LaSalle County
Assistant State's Attorney

Troy D. Holland
LaSalle County Assistant State's Attorney
Governmental Complex
707 E. Etna Road
Ottawa, IL 61350
(815)434-8358

EXHIBIT "A"

ICC Order T04-0069
Supplemental Petition

F.A.U. Route 6145
Broadway Street over BNSF Railway Co.
Streator, Illinois
Railroad Crossing NO. 004 480 C
Milepost 89.41
Section 01-00590-00-BR (County)
01-0076-00-BR (City)
LaSalle County

The following expenses have been incurred to date:

1.) Preliminary Engineering	\$730,266.45
2.) R.O.W. Appraisals, Negotiations, Acquisitions	<u>\$70,543.00</u>
	\$800,809.45

Anticipated expenses:

3.) Construction Engineering	\$630,000.00
4.) Construction	<u>\$6,117,000.00</u>
	\$6,747,000.00

We are anticipating that this project will be let by IDOT in Springfield on November 17, 2006. Obligating the remaining GCPF assistance (\$1,963,652.00) will be greatly appreciated.

PROOF OF SERVICE

I, Troy D. Holland under penalties of perjury, says that on the 6th of November 2006 he caused to be served copies of LaSalle County and City of Streator's Supplemental Petition:

Honorable Dean Jackson
Chief Administrative Law Judge
Review & Examination Program
Illinois Commerce Commission
Transportation
527 East Capitol Avenue
Springfield, IL 62701

Mr. Henry Humphries
Railroad Staff
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62706

Mr. Milton R. Sees, P.E.
Director of Highways, IDOT
ATTN: JEFF HARPRING, ROOM 205
2300 South Dirksen Parkway
Springfield, IL 62764

Pamela K. Leonard
City of Streator, Clerk
204 South Bloomington
Streator, IL 61364

Burlington Northern and Santa Fe Railway Company
CT Corporation System
208 S. LaSalle Street
Chicago, IL 60604

Mr. Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
118 S. Clinton Street
Suite 700
Chicago, IL 60661

Mr. W. Douglas Werner
Burlington Northern and Santa Fe Railway Company
P.O. Box 961039
Fort Worth, TX 76161-0039

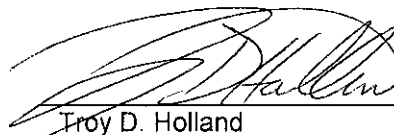
Mr. Thomas Benson
Spec. Asst. Attorney General
IDOT
2300 South Dirksen Parkway
Room 311
Springfield, IL 62764

Mr. Craig N. Rasmussen, P.E.
BNSF Railway Company
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Minneapolis, MN 55421

Mr. Ray Schmitt
Mayor, City of Streator
204 South Bloomington Street
Streator, IL 61364

Ms. Cheryl Townlian
BNSF Railway Company
3253 E. Chestnut Expressway
Springfield, MO 65802

Mr. Lawrence J. Kinzer
LaSalle County Highway Department
P.O. Box 128
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Ottawa, IL 61350



Troy D. Holland
LaSalle County Assistant State's Attorney

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